

PLANNING AND ZONING BOARD

JUNE 9, 2004

1. ROLL CALL

The meeting was called to order at 7:03 p.m. Board members present were Chair Mike Bender, Vice-Chair Mimi Turin, Casey Lee, Scott McLaughlin and John Stevens. Also present were Town Attorney Monroe Kiar, Attorney Andre Parke, Planning and Zoning Supervisor Marcie Nolan and Board Secretary Janet Gale recording the meeting.

2. APPROVAL OF MINUTES: November 12, 2003

Mr. Stevens made a motion, seconded by Mr. McLaughlin, to approve the minutes of November 12, 2003. In a voice vote, all voted in favor. **(Motion carried 5-0)**

3. PLAT

3.1 P 11-1-03, Madison Lake II, 5050 SW 82 Avenue (R-5)

Gus Khavanin, representing the petitioner, was present. Ms. Nolan summarized the planning report.

Mr. Khavanin indicated that contrary to the planning report, a bond need not be posted prior to plat recordation as one already existed for Madison Lake and this plat was a continuation of that project.

Boardmembers asked Mr. Khavanin to clarify the location of the six units in relation to what was existing and about the maintenance of the wetland mitigation area.

Ms. Lee made a motion, seconded by Mr. Stevens, to approve subject to staff's conditions. In a roll call vote, the vote was as follows: Chair Bender - yes; Vice-Chair Turin - yes; Ms. Lee - yes; Mr. McLaughlin - yes; Mr. Stevens - yes. **(Motion carried 5-0)**

4. PUBLIC HEARING

Variances

4.1 V 3-2-04, Town of Davie, 4491 Oakes Road (CF)

Ms. Nolan represented the applicant and summarized the planning report.

Chair Bender asked if anyone wished to speak for or against this item. As no one spoke, the public hearing was closed.

Vice-Chair Turin emphasized that she believed the fire station was needed and was a good thing; however, she believed that the Town should be setting an example of compliance rather than requesting so many variances, especially concerning landscaping.

Ms. Nolan responded that since the building would be housing fire trucks from Unincorporated Broward County and Dania Beach, more and larger trucks were going to use the facility. As the size of the property was limited at this strategic site and the level of intensity had been increased, the building size could not be changed in order to avoid the need for variances. She indicated that staff tried to find ways to minimize the variances and found that nothing could be done without dramatically compromising the program or the function of the fire station. Ms. Nolan noted that while other municipalities exempt themselves from their building development regulations, the Town did not.

Chair Bender indicated that although he agreed with some of the points regarding building compliance, he too understood that the location was in a "heavy industrial" area and, therefore, he was inclined to "give a little leeway" as the fire station was desperately needed on the east side.

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Mr. Stevens made a motion, seconded by Ms. Lee, to approve. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin –yes; Ms. Lee –yes; Mr. McLaughlin – no; Mr. Stevens – yes. **(Motion carried 4-1)**

Both Vice-Chair Turin and Ms. Lee qualified their votes and asked that it be noted that they believed there had been “poor planning” with this project and that the Town should be more cognizant of these things in the future, particularly if it expected applicants to comply.

Mr. McLaughlin stated that he was opposed because the applicant varied more than 20% from the Code.

4.2 V 4-1-04, G.L. Homes, 3683 Churchill Downs Drive (AG)

Gladys Digirolamo, representing the petitioner, was present. Ms. Nolan read the planning report.

Ms. Digirolamo used renderings and elevations to clarify the intent of the variance request. She indicated that there would be a recorded deed restriction for lot 127; that she was in agreement with the staff’s report; and that to offset the aesthetic impact of this request, the developer would voluntarily contribute \$5,000 to the tree fund for open space.

Chair Bender disclosed that Kevin Ratterree had called him.

Mr. Stevens made a motion, seconded by Ms. Lee, to approve with the stipulation that \$5,000 would be voluntarily contributed to the Open Space Program. In a roll call vote, the vote was as follows: Chair Bender – yes; Vice-Chair Turin – no; Ms. Lee – yes; Mr. McLaughlin – no; Mr. Stevens – yes. **(Motion carried 3-2)**

Mr. McLaughlin was opposed because he believed that setbacks were setbacks and a smaller unit should have been placed on this lot.

Vice-Chair Turin was opposed because she felt that larger units should be placed on larger lots; that this item was self created; and at minimum, it did not serve the purpose of a fire station.

5. OLD BUSINESS

There was no old business discussed.

6. NEW BUSINESS

There was no new business discussed.

7. COMMENTS AND/OR SUGGESTIONS

There were no comments and/or suggestions made.

8. ADJOURNMENT

There being no further business and no objections, the meeting was adjourned at 7:36 p.m.

Date Approved: _____

Chair/Board Member